

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 23, 2010

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, P.J., Rothschild, J., Chaney, J., Johnson, J. and S. Stahl, Deputy Clerk.

Each of the following:

B210956 People v. Espinoza
B212116 People v. Villa
B212342 People v. Williams
B212973 People v. Sullivan & Underwood
B213503 People v. Q.F.
B214394 People v. Maestaz
B214479 In re Padilla on H.C.
B215171 Law, et al. v. Hsieh et al.
B216779 People v. Robinson
B217023 DCFS v. A.R.
B217731 In re Johnson on H.C.
B218098 DCFS v. K.M.
B218238 DCFS v. S.R.

Argument waived, cause submitted.

B214714 People
v.
Berryhill

Merits:

Argued by John G. Derrick for appellant and by Elaine F. Turmonis, Deputy Attorney General, for respondent. Cause submitted.

DIVISION ONE (continued)

B217120 People
 v.
 A.R.

Merits:

Argued by Katharine Greenebaum for appellant and by David C. Cook, Deputy Attorney General, for respondent. Cause submitted.

Mallano, P.J. leaves the bench.

B210060 People
 v.
 Carillo

Merits:

Argued by Allen G. Weinberg for appellant and by Michael J. Wise, Deputy Attorney General, for respondent. Cause submitted.

Mallano, P.J. returns to the bench.

Chaney, J. leaves the bench.

B207271 Thompson
 v.
 Skysports, Inc.

Merits:

Argued by Gerald M. Serlin for appellant and by Steven M. Kroll for respondent. Cause submitted.

Chaney, J. returns to the bench.

Rothschild, J. leaves the bench.

DIVISION ONE (continued)

B210116 Advanced Choices, Inc.
 v.
 Department of Health Services

Merits:
Argued by Bryan Altman for appellant and by Gregory M. Cribbs for respondent. Cause submitted.

Rothschild, J. returns to the bench.

B212348 PNS Jewelry, Inc. dba Oro Diamante
 v.
 Assurance Company of America, et al.

Merits:
Argued by Sharon Arkin for appellant. Linda Jean Lynch for respondent previously waived argument. Cause submitted.

B212231 Jimenez
 v.
 Too Fast, Inc.

Merits:
Argued by John P. Dwyer for appellant and by Michelle M. Lambre for respondent. Cause submitted.

Mallano, P.J. leaves the bench.

B210909 People
 v.
 King

Merits:
Argued by Jerald W. Newton for appellant and by Yun K. Lee, Deputy Attorney General, for respondent. Cause submitted.

DIVISION ONE (continued)

B220813 S.Y.
v.
Superior Court, Los Angeles County
(DCFS, r.p.i.)

Merits:

Argued by O. Raquel Ramirez, Deputy County Counsel, for real party in interest and no appearance by petitioner.. Cause submitted.

Court adjourned.

B212258 People (Not for Publication)
v.
Gonzales

The judgment is reversed as to Gonzales's conviction under count 2, for aggravated assault. The judgment as to count 1 is affirmed.

Johnson, J.

We concur: Mallano, P.J.
 Rothschild, J.

DIVISION TWO

B212748 Salamat, et al. (Not for Publication)
v.
City of Los Angeles

The judgment is affirmed. Respondent(s) to recover costs.

Doi Todd, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

DIVISION THREE

B210957 People (Not for Publication)

V.

James T. Hargrove

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.

Aldrich, J.

B210052 People (Not for Publication)

V.

Tredail Gray

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.

Aldrich, J.

B207972 Antelope Valley Healthcare District, (Not for Publication)

V.

Director of the California Department of Health Care Services

Molina Health Care of California

The judgment is reversed and the matter is remanded with directions to the trial court to vacate and set aside its judgment filed on April 11, 2008, and to enter a new and different judgment granting the petition for writ of administrative mandamus. Costs on appeal are awarded to plaintiff Antelope Valley Healthcare District.

Kitching, J.

We concur: Croskey, Acting P.J.

Aldrich, J.

DIVISION THREE (continued)

B216156 Los Angeles County, D.C.F.S. (Not for Publication)
v.
S.T.

The dependency court's order terminating jurisdiction over Daughter and its visitation order for Daughter are reversed and the cause is remanded to that court with directions to hold the evidentiary hearing requested by Mother, and to thereafter decide anew the issues of visitation and jurisdiction.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B211350 O'Connor, et al. (Not for Publication)
v.
Tesoro

The judgment is reversed. Plaintiffs shall recover their costs on appeal.

Willhite, Acting P.J.

We concur: Manella, J.
 Suzukawa, J.

B208215 People
v.
Alexander

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)

DIVISION FIVE

B217446 People (Not for Publication)
v.
Sherman Nesbitt

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.

B209721 People (Not for Publication)
v.
Nanshon Williams, et al

The judgment is affirmed.

Armstrong, J.

I concur: Turner, P.J.
I dissent: Mosk, J. (Opinion)

B206971 People (Not for Publication)
v.
Paul Marentez

Appellant's term of commitment is corrected to be an indeterminate term. This matter is remanded for a hearing on appellant's equal protection claim. The court's judgment and order are affirmed in all other respects.

Armstrong, Acting P.J.

We concur: Kriegler, J.
Weisman, J. (Assigned)

DIVISION SIX

B215158 People (Not for Publication)
v.
Sanborn

We modify the judgment to stay execution of sentence on count 3 (Section 182, subd. (a)(1)), pursuant to section 654. The trial court is directed to amend the abstract of judgment and forward a copy to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B216738 People (Not for Publication)
v.
Thomas

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B218641 People (Not for Publication)
v.
Cerniaz

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

February 23, 2010 (Continued)

DIVISION SIX (continued)

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The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.